

REMARKS

In accordance with the foregoing, claims 1, 9, 10, and 12-14 are amended. No new matter is presented and entry and approval are requested.

Claims 1-4, 6 and 8-14 are pending and under consideration. Reconsideration is requested.

Traverse of 35 U.S.C. §112, second paragraph rejections

In item 2 of the Office Action, the Examiner rejects claims 1-4, 6, and 8-14 under 35 U.S.C. §112, second paragraph, as being indefinite. In paragraph a.i., the Examiner rejects claim 9 as lacking antecedent basis. In paragraphs b. i, v. - vi., the Examiner rejects claims 1, 9, and 10 asserting, for example:

As per claim 1, lines 10-14, it is unclear how changing a priority of the task (operating system) higher than a primary priority of the task (operating system) is done (i.e. is changing the priority of the operating system in reference to another operating system or in reference to itself by changing of the priority of tasks executing under the control of the operating system? is there a single or multiple operating systems executing?) It is unclear what is the relation between the task and the operating system (i.e. are they the same or is the task running under the control of the operating system?).

(See, Office Action at page 2). The Examiner makes similar assertions regarding claims 9 and 10.

In paragraphs b. ii. - iii., the Examiner respectively rejects dependent claims 3 and 4. In paragraphs b. vi. - vii., the Examiner rejects independent claims 12-14 asserting, for example:

[I]t is unclear whether raising the priority of the operating system in reference to another operating system or in reference to itself by changing of the priority of tasks executing under the control of the operating system? is there a single or multiple operating systems executing?).

(See, Office Action at page 3).

The rejections are traversed.

Claim 9 is amended herein to provide to correct lack of antecedent basis for a "process"

Claim 1, is amended herein, to recite to a recording medium to cause a computer to execute ". . . determining whether a non-idle process is included in processes to be executed under control of the General-Purpose operating system based on a process identifier stored in a process control block (PCB) of processes to be executed under control of the General-Purpose operating system, . . . and setting the priority of the task to the higher priority when it is determined at the determining that the processes to be executed under control of the General-

Purpose operating system include the non-idle process, the higher priority being set higher than a primary priority of the task to execute the General-Purpose operating system under control of which the non-idle process is executed, the task being executed under control of a Real-Time operating system." (Emphasis added).

Independent claims 9 and 10 are amended herein in a similar manner.

Claim 12 is amended herein to address the Examiner's concerns and recite a method performed by a processor causing a computer to execute a General-Purpose operating system as a task comprising "changing a priority of the task to a priority higher than a primary priority by reading the priority higher than the primary priority stored in a storage unit as a system parameter and setting the priority of the task to the priority higher than the primary priority to execute the General-Purpose operating system under control of which the non-idle process is executed upon determining that processes to be executed include a non-idle process, wherein the task being executed under control of a Real-Time operating system." (Amendatory language underlined).

Claims 13 and 14 are amended herein in a similar manner.

That is, independent claims are amended, herein for example, to indicate an operating system is a General-Purpose OS or Real-Time OS and restricting that the General-Purpose OS is executed under control of the Real-Time operating system as a task.

Applicants submit that the amendment of base claim 1 also addresses the concerns of the Examiner regarding dependent claims 3-4.

Conclusion

Applicants submit claims 1-4, 6, and 8-14 comply with 35 U.S.C. §112, second paragraph and request that the 35 U.S.C. §112, second paragraph rejections be withdrawn.

Traverse of rejection under §102(e)

In items 4-6 of the Office Action, the Examiner rejects claims 12-14 under 35 U.S.C. §102(e) as being anticipated by Saito et al. (US 2005/0149933 A1) ("Saito").

The rejection is traversed. As set forth in MPEP §2131, to establish anticipation under §102, the reference relied on in support of the rejection must teach each and every element of the claim and the identical invention must be shown in as complete detail as in the claim.

Claim 12, as amended herein, recites a task control method for causing a computer to execute a General-Purpose operating system as a task, the method comprising: "raising a priority of the task by reading a higher priority than a primary priority stored in a storage unit as a

system parameter and setting the priority of the task to the higher priority upon determining processes to be executed under control of the General-Purpose operating system include a non-idle process to be executed under control of the General-Purpose operating system other than an idle process executed when the General-Purpose operating system proceeds to an idle state and based on an identifier stored in a control block executed by the General-Purpose operating system, wherein the task being executed under control of a Real-Time operating system." (Emphasis added).

Claims 13 and 14, as amended herein, have similar recitations. Applicants submit that Saito merely teaches priority translation of tasks on different operating systems. (See, for example, paragraph [0020]).

That is, Saito does not teach a task control method for causing a computer to execute a General-Purpose operating system as a task, the method comprising: raising a priority of the task by reading a higher priority than a primary priority stored in a storage unit as a system parameter and setting the priority of the task to the higher priority . . . , wherein the task being executed under control of a Real-Time operating system," as recited by claim 12, for example. (Emphasis added).

Similarly, Saito does not teach a method performed by a processor causing a computer to execute a General-Purpose operating system as a task comprising: changing a priority of the task to a priority higher than a primary priority by reading the priority higher than the primary priority . . . , wherein the task being executed under control of a Real-Time operating system," as recited by claim 13. (Emphasis added).

Similarly, Saito does not teach a method performed by a processor causing a computer to execute a General-Purpose operating system as a task comprising: reading a priority higher than a primary priority from a storage unit as a system parameter; and setting a priority of the task to a priority that is read from a storage unit as a system parameter that is higher than a primary priority to execute the General-Purpose operating system and an Included non-idle process, wherein the task being executed under control of a Real-Time operating system. (Emphasis added).

Conclusion

Thus, the §102(e) rejection should be withdrawn and the claims 12-14 allowed.

Traverse of rejection under §103(a)

In items 8-22 of the Office Action, the Examiner rejects claims 1-4, 6 and 8-11 under 35

U.S.C. §103(a) as being unpatentable over Saito. The rejections are traversed.

Applicants submit that Saito does not teach nor suggest all of the features recited by at least each of independent claims 1, 9, and 10 and that one of ordinary skill in the art would not reasonably modify Saito to teach the same.

Saito merely discloses priority translation of tasks on different operating systems. (See, for example, paragraph [0020])

However, even a reasonable modification of Saito does not teach "a computer-readable recording medium that stores a task control computer program including computer executable instructions which when executed by a computer, cause the computer to execute a General-Purpose operating system as a task by performing: . . . changing a priority of the task to a higher priority . . . the task being executed under control of a Real-Time operating system," as recited by claim 1. (Emphasis added).

Therefore, the noted feature of claim 1 is a distinction over Saito. Applicants submit that one of ordinary skill would not reasonably modify Saito regarding the same and thus, the noted feature of claim 1 is not obvious to one of ordinary skill in the art, and a finding of *prima facie* obviousness would be in error.

Independent claim 9, as amended herein, recites a "task control apparatus comprising: a storage device storing computer-readable instructions, execution of the instructions by the task control apparatus facilitates causing a computer to execute a General-Purpose operating system as a task, execution of the Instructions configuring the task control apparatus to include ... a changing unit that changes a priority by reading the primary priority stored in a storage unit as a system parameter and setting the priority of the task to be higher priority, the task being executed under control of a Real-Time operating system." (Emphasis added.)

Independent claim 10, as amended herein, recites a "task control method for causing a computer to execute a General-Purpose operating system as a task, comprising: . . . changing a priority of the task to a priority by reading the priority higher than the primary priority stored in the storage unit as system parameter and setting the priority of the task to the priority higher than the primary priority . . . the task being executed under control of a Real-Time operating system." (Emphasis added.)

Applicants submit that one of ordinary skill would not reasonably modify the disclosure of Saito to teach the recited features and thus, the noted features of claims 9 and 10 are not obvious to one of ordinary skill in the art, and a finding of *prima facie* obviousness would be in

error.

Dependent claims 2-4, 6, 8, and 11 inherit the features of base claim 1 and similarly patentably distinguish over Saito.

Conclusion

Thus, the §103(a) rejections should be withdrawn and claims 1-4, 6 and 8-11 allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: May 7, 2010

By: Paul W. Bobowiec
Paul W. Bobowiec
Registration No. 47,431

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501